

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

ROLL COATER, INC.,

Plaintiff,

v.

LOCAL UNION 1191-14 UNITED
STEEL WORKERS OF AMERICA,
et al.,

Defendants.

Case No. 3:06-CV-569 JVB

ORDER

On February 11, 2008, the undersigned District Judge referred Plaintiff's Motion for Summary Judgment [DE 19], Defendants' Motion for Summary Judgment [DE 21], and Defendants' Rule 56 Motion to Strike the Declaration of Joseph M. Mainor [DE 26] to Magistrate Judge Christopher A. Nuechterlein for a Report and Recommendation pursuant to 28 U.S.C § 636(b)(1)(B) and Local Rule 72.1(d). On May 19, 2008, Magistrate Judge Nuechterlein issued a Report and Recommendation on the subject motions [DE 31]. At that time, Magistrate Judge Nuechterlein advised the parties, pursuant to Rule 72(b), that within ten days after being served with a copy of the Report and Recommendation, they may serve and file specific, written objections to the proposed findings and recommendations.

Here, the parties did not file objections to Magistrate Judge Nuechterlein's Report and Recommendation. Accordingly, the parties have waived any right to challenge Magistrate Judge Nuechterlein's Report and Recommendation. *See e.g., United States v. Hall*, 462 F.3d 684, 688 (7th Cir. 2006) ("[T]he failure to object to the recommendations and decisions of a magistrate judge is one instance [in which] we have held [that] waiver of appellate review results."); *Willis v. Caterpillar, Inc.*, 199 F.3d 902, 904 (7th Cir. 1999); *Hunger v. Leininger*, 15 F.3d 664, 668 (7th Cir.

1994); *The Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260-61 (7th Cir. 1989).

The undersigned District Judge adopts the Magistrate Judge's Report and Recommendation [DE 31], grants Defendants' Motion for Summary Judgment [DE 21], denies Plaintiff's Motion for Summary Judgment [DE 19], and denies as moot Defendants' Rule 56 Motion to Strike the Declaration of Joseph M. Mainor [DE 26]. Defendants' request for fees and costs is also denied.

SO ORDERED on June 10, 2008.

s/ Joseph S. Van Bokkelen
JOSEPH S. VAN BOKKELEN
UNITED STATES DISTRICT JUDGE
HAMMOND DIVISION